UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RENE ORTIZ,

Plaintiff,

v.

DIVERSIFIED CONSULTANTS, INC., et al.,

Defendants.

No. 2:17-cv-0590 TLC AC PS

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. ("Local Rule") 302(c)(21). On July 28, 2017, the court dismissed the complaint, and granted plaintiff 30 days to file an amended complaint. ECF No. 3. Plaintiff was cautioned that failure to do so could lead to a recommendation that the action be dismissed. On August 25, 2017, plaintiff requested a 60-day extension of time to file his first amended complaint in order to "seek legal advice and/or obtain legal representation." ECF No. 4. On August 29, 2017, this court granted the extension. ECF No. 5. Plaintiff did not respond.

On November 2, 2017, the court issued an order to show cause why this case should not be dismissed for failure to prosecute. ECF No. 6. Plaintiff has not responded to the court's orders, nor taken any action to prosecute this case.

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Therefore, IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for lack of prosecution and for failure to comply with the court's order. See Fed. R. Civ. P. 41(b); Local Rule 110.

These findings and recommendations are submitted to the United States District Judge assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within twenty-one (21) days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Local Rule 304(d). Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

DATED: November 20, 2017.

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE